## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

SAMUEL JEFFERSON,	)	
	)	
Plaintiff,	)	
	)	No. 3:12-cv-0988
v.	)	
	)	Judge Sharp
CORIZON HEALTH CARE	)	Magistrate Judge Bryant
PROVIDERS, et al.,	)	Ç Ç
	)	
Defendants.	)	
	,	

## **ORDER**

Pending before the Court is a Report and Recommendation ("R & R") of the Magistrate Judge, recommending that *Defendant Eli Lilly and Company's Motion to Dismiss* for failure to state a claim upon which relief can be granted (Docket Entry No. 43) be denied.<sup>1</sup> No objections were made to the R & R.

Where no objections are made to the R & R, "[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions." Fed. R. Civ. P. 72(b). Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R.

Accordingly, the Court hereby rules as follows:

- (1) The Report and Recommendation (Docket Entry No. 111) is hereby ACCEPTED and APPROVED; and
- (2) Defendant Eli Lilly and Company's Motion to Dismiss for failure to state a claim upon which relief can be granted (Docket Entry No. 43) is hereby DENIED.

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<sup>&</sup>lt;sup>1</sup> Plaintiff filed a response in opposition to the motion. (Docket Entry No. 54).

This action is hereby returned to the Magistrate Judge for further pretrial management in accordance with Local Rule 16.01.

It is SO ORDERED.

KEVIN H. SHARP

UNITED STATES DISTRICT JUDGE